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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/373,585	08/13/1999	NOBUHIKO OGURA	Q55432	2737

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2100 PENNSYLVANIA AVENUE N W  
WASHINGTON, DC 200373202

EXAMINER
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LU, FRANK WEI MIN

ART UNIT	PAPER NUMBER
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1634

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/373,585

Applicant(s)

OGURA, NOBUHIKO

Examiner

Frank W Lu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 6, 7 and 21-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6, 7 and 21-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5/2004.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's response to the office action filed on May 6, 2005 has been entered. The claims pending in this application are claims 6, 7, and 21-33. Rejection and/or objection not reiterated from the previous office action have been withdrawn in view of the response filed on May 6, 2005.

### ***Information Disclosure Statement***

2. The examiner has signed PTO form-1449 filed on May 6, 2004 and attached the PTO form-1449 with this office action. Note that IDS filed on May 6, 2004 was not available when the examiner wrote the advisory rejection.

### ***Claim Objections***

3. Claim 26 is objected to because of the following informalities: "applying means" in line 6 should be "applicator means" while "conveying means" in line 9 should be "conveyer means" because the specification only provide support for the phrases "applicator means" or "application means" and "conveyer means" (see page 17, first paragraph and original filed claim 6).

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 6, 7, 21, 22, 25-29, and 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Stimpson ( US Patent No. 6,037,186, filed on July 16, 1997) as evidence by US Patent No. 4,877,745 (Hayes *et al.*, published on October 31,1989).

Stimpson teaches parallel production of high density arrays.

Regarding claims 6, 22, 25, and 29, since Stimpson teaches that an automated device to apply the multitude of reagents to a 21.5 foot sheet is assembled from an X-Y-Z table (e.g. Asymtek) fitted with a reagent dispenser, a step motor controlled take up spool and an adjustable drag pay-out spool (see column 8, third paragraph and Figure 2C ), Stimpson discloses a conveyor recited in claim 6. Since Stimpson teaches that the roll of membrane is fed through guides on the X-Y-Z table surface and Y table of the automated device is flat (see column 8, third paragraph and Figure 2C), Stimpson discloses the apparatus (ie., the automated device) comprising a flat surface accommodating the sheet-like substrate as recited in claim 29. Stimpson also teaches that, using reagent jet printing, lines of different DNA samples such as cDNA libraries are applied to the sheet in lines or otherwise a pin applicator so that multiple dots from the pin overlap to form a line wherein the different reagent lines on the sheet are formed as

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close together as possible and with minimum line width allowed by the printing method so that array density is maximized. For example, reagent jet printing is described in U.S. Pat. No. 4,877,745 and print lines with a width on the order of 0.001 inch (see column 7, lines 25-55). Since a plurality of jetting heads in the reagent jet printing taught by US Patent No. 4,877,745 is arranged at predetermined or fixed interval (see US Patent No. 4,877,745, Figure 1), Stimpson as evidence by US Patent No. 4,877,745 (Hayes *et al.*) teaches a plurality of applicators (ie., jetting heads) as recited in claims 6 and 25. Since the sheet with different DNA sample is cut with a razor blade (for example, see column 14, last paragraph), Stimpson discloses a cutting means as recited in claim 6. Although Stimpson as evidence by U.S. Pat. No. 4,877,745 (Hayes *et al.*) does not specially indicate that their apparatus can perform the functions of the apparatus recited in claims 6 and 22, note that, while features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function. *In re Schreiber*, 128 F.3d 1473, 1477-78, 44 USPQ2d 1429, 1431-32 (Fed. Cir. 1997) (The absence of a disclosure in a prior art reference relating to function did not defeat the Board's finding of anticipation of claimed apparatus because the limitations at issue were found to be inherent in the prior art reference); see also *In re Swinehart*, 439 F.2d 210, 212-13, 169 USPQ 226, 228-29 (CCPA 1971); *In re Danly*, 263 F.2d 844, 847, 120 USPQ 528, 531 (CCPA 1959). "[A]pparatus claims cover what a device is, not what a device does." *Hewlett-Packard Co. v. Bausch & Lomb Inc.*, 909 F.2d 1464, 1469, 15 USPQ2d 1525, 1528 (Fed. Cir. 1990) (emphasis in original). A claim containing a "recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus" if the prior art apparatus teaches all the structural

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limitations of the claim. *Exparte Masham*, 2 USPQ2d 1647 (Bd. Pat. App. & Inter. 1987) (see MPEP 2114).

Regarding claims 7, 21, 27, 28, and 31-33, since claim 6 is directed to an apparatus for manufacturing a test piece for use in biological analysis of a sample organism comprising a strip-like substrate bearing thereon numbers of known specific binding agents which are different from each other and are arranged in a line at predetermined intervals in the longitudinal direction of the strip-like substrate, the test piece recited in claim 6, the binding agents recited in claims 6, 7, 21, 27, and 31, and the strip-like substrate recited in claims 6, 21, 28, 31, and 32 are not parts of the apparatus as recited in claim 6, and claims 7, 21, 27, 28, 31, and 32 are used to further limit the binding agents and the strip-like substrate recited in claim 6, claims 7, 21, 27, 28, 31, and 32 are anticipated by Stimpson as evidence by US Patent No. 4,877,745. Since a strip-like substrate is not a part of the apparatus as recited in claim 6 and a plurality of applicators (ie., jetting heads, see US Patent No. 4,877,745, Figure 1) is arranged in an anti-clockwise direction or a clockwise direction (ie., a first direction), and claim 33 is used to further limit a first direction in claim 6, claim 33 is anticipated by Stimpson as evidence by US Patent No. 4,877,745.

Regarding claim 26, since Stimpson teaches that an automated device to apply the multitude of reagents to a 21.5 foot sheet is assembled from an X-Y-Z table (e.g. Asymtek) fitted with a reagent dispenser, a step motor controlled take up spool and an adjustable drag pay-out spool (see column 8, third paragraph and Figure 2C ), Stimpson discloses a conveyor means recited in claim 26. Stimpson also teaches that, using reagent jet printing, lines of different DNA samples such as cDNA libraries are applied to the sheet in lines or otherwise a pin applicator so

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that multiple dots from the pin overlap to form a line wherein the different reagent lines on the sheet are formed as close together as possible and with minimum line width allowed by the printing method so that array density is maximized. For example, reagent jet printing is described in U.S. Pat. No. 4,877,745 and print lines with a width on the order of 0.001 inch (see column 7, lines 25-55). Since a plurality of jetting heads in the reagent jet printing taught by US Patent No. 4,877,745 is arranged at predetermined or fixed interval (see US Patent No. 4,877,745, Figure 1), Stimpson as evidence by US Patent No. 4,877,745 (Hayes *et al.*) teaches a plurality of applicators means (ie., jetting heads) as recited in claim 26. Since the sheet with different DNA sample is cut with a razor blade (for example, see column 14, last paragraph), Stimpson discloses a cutting means as recited in claim 26.

Therefore, Stimpson as evidence by US Patent No. 4,877,745 teaches all limitations recited in claims 6, 7, 21, 22, 25-29, and 31-33.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stimpson (July 16, 1997) as evidence by US Patent No. 4,877,745 as applied to claims 6, 7, 21, 22, 25-29, and 31-33 above, and further in view of Shuminov (US Patent No. 5,808,554, 102(e) date: July 2, 1997).

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The teachings of Stimpson have been summarized previously, *supra*.

Stimpson does not disclose a conveyor belt as recited in claim 23 and a guide rail as recited in claim 24. Since Stimpson teach that the sheet with different DNA samples is cut with a razor blade (for example, see column 14, last paragraph), the cutting means (ie., the razor blade) must have a cutting edge as recited in claim 24.

Shuminov teaches a conveyor belt and a guide rail. He teaches moisture detecting liner for a diaper and a process for manufacture thereof a production line for manufacturing the diaper. Figure 4a shows schematically a production line for manufacturing the diaper. The production line comprises a drum 48 constituting a first roll, which feeds a tissue-type material 49 under a guide rail 50 so that, as the absorbent layer 45 passes underneath the **guide rail 50**, the tissue-type layer 49 is compacted on to the absorbent layer 45 thus forming a composite layer which is cut by a **cutter 51** so that the tissue-type layer 49 extends along the complete length of the absorbent layer 45 and across the narrow section of its I-shaped contour. The composite layer passes along the **conveyor belt 46**, downstream of which are disposed, on opposite sides of the conveyor belt 46, a pair of drums 52 and 53 constituting, respectively, second and third rolls, which feed corresponding innermost and outermost layer material 54 and 55 so as to cover opposite surfaces of the composite layer comprising the absorbent layer 45 and the tissue-type layer 49. The resulting assembly is cut by a cutter 56 so as to produce the finished diaper (see Figure 4a and column 6, lines 5-21). The phrase "wherein said cutting edge moves along said guide rail" recited in claim 24 is a function of the cutting edge and is not a structural limitation.

Therefore, it would have been *prima facie* obvious to one having ordinary skill in the art at the time the invention was made to have added a conveyor belt as recited in claim 23 and a



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guide rail as recited in claim 24 into the apparatus recited in claim 6 in view of the patents of Stimpson and Shuminov. One having ordinary skill in the art would have been motivated to do so because addition of a guide rail and a conveyor belt onto the apparatus recited in claim 6 would add more functions onto the apparatus recited in claim 6 such as compacting a sheet (ie., a composition layer) by passing the sheet underneath of the guide rail and delivering a sheet (ie., a composition layer) to a cutter using the conveyor belt so that the sheet is cut to a designed size (ie., finished diaper ) (see Shuminov, column 6, lines 5-21). One having ordinary skill in the art at the time the invention was made would have been a reasonable expectation of success to add a conveyor belt as recited in claim 23 and a guide rail as recited in claim 24 into the apparatus recited in claim 6.

***Response to Arguments***

I. In page 6, fourth paragraph bridging to page 7, third paragraph of applicant's remarks, applicant argues that "The Examiner asserts that Stimpson teaches the aspects of claims 6 and 26. However, it appears that Stimpson teaches away from the present invention. For example, in col. 2, lines 49-51, Stimpson discloses that 'since elements of the array are formed by the application of a DNA solution to the surface of the array the process is relatively slow.' This appears contrary to the present invention in which binding agents are applied to the surface of a substrate. Therefore, the teachings of an exemplary embodiment of the invention appear contrary to Stimpson. Further, it would appear that in Stimpson, the reagent is applied in a direction perpendicular to a longitudinal direction of the 21.5 foot sheet (See Fig. 2C), and is not in lines in the longitudinal direction of the strip-like substrate, as recited in the claims. The claims further recite 'a cutting means which cuts the sheet-like substrate bearing thereon the plurality of

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specific binding agents in the first direction into a plurality of strips.’ However, at no point is cutting of a strip-like substrate performed Stimpson. In particular, cutting is performed in Stimpson after a sheet is rolled into a rod shape. See col. 5, lines 33-36; Figs. 1C, 2E, and 2D”.

These arguments have been fully considered but they are not persuasive toward the withdrawal of the rejection. Since the phrase “for manufacturing a test piece for use in biological analysis of a sample organism” is an intended use of the apparatus recited in claims 6 and 26 (a functional limitation) and is not a structural limitation of claims 6 and 26, a test piece recited in claims 6 and 26 is not a part of the apparatus. Furthermore, since the phrase “test piece for use in biological analysis of a sample organism comprising a strip-like substrate bearing thereon numbers of known specific binding agents which are different from each other and are arranged in a line at predetermined intervals in the longitudinal direction of the strip-like substrate” is used to limit the test piece, the strip-like substrate recited in claims 6 and 26 is not a part of the apparatus and is not a structural limitation of the apparatus recited in claims 6 and 26. Since the phrase “which cuts the sheet-like substrate bearing thereon the plurality of specific binding agents in the first direction into a plurality of strips” is used to define the function of a cutting means, a plurality of strips is not a part of the apparatus recited in claims 6 and 26. Therefore, the sheet-like substrate and the plurality of strips are not structural elements of the apparatus recited in claims 6 and 26 and the apparatus recited in claims 6 and 26 only requires a plurality of applicators or applying means, a conveyor or conveying means and a cutting means. Note that applicant’s arguments are related to sheet-like substrate which is not a structural element of the apparatus recited in claims 6 and 26.

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II. In page 7, fourth paragraph bridging to page 8, first paragraph of applicant's remarks, applicant argues that "the Examiner asserts that although Stimpson and Hayes do not specifically indicate that their apparatus can perform the functions of the apparatus recited in the claims, that claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function. However, a functional limitation must be evaluated and considered just like any other limitation of the claim, for what it fairly conveys to a person of ordinary skill in the pertinent art in the context in which it is used. MPEP 2173.05. For example, claim 26 is directed to an applicator means, conveying means, and cutting means. The claimed means-plus-function limitations require the Examiner to give patentable weight to the function of the recitation (See 35 U.S.C. § 112, sixth paragraph, and MPEP § 2184). The application of a prior art reference to a means or step plus function limitation requires that the prior art perform the identical function specified in the claim (MPEP § 2182). If a prior art reference teaches the identical function specified in the claim, then the Examiner carries the initial burden of proof to show that the prior art structure is equivalent to the structure described in the specification, which has been identified as corresponding to the claimed means (MPEP § 2182). Therefore, the functional language must be given due consideration:

These arguments have been fully considered but they are not persuasive toward the withdrawal of the rejection. First, the examiner does evaluate functional limitations of claims 6 and 26. Second, MPEP 2114 (R-1) clearly states that "[W]hile features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function. *In re Schreiber*, 128 F.3d 1473, 1477-78, 44 USPQ2d 1429, 1431-32 (Fed. Cir. 1997) (The absence of a disclosure in a prior art

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reference relating to function did not defeat the Board's finding of anticipation of claimed apparatus because the limitations at issue were found to be inherent in the prior art reference); see also *In re Swinehart*, 439 F.2d 210, 212-13, 169 USPQ 226, 228-29 (CCPA 1971); *In re Danly*, 263 F.2d 844, 847, 120 USPQ 528, 531 (CCPA 1959). '[A]pparatus claims cover what a device is, not what a device does.' *Hewlett-Packard Co. v. Bausch & Lomb Inc.*, 909 F.2d 1464, 1469, 15 USPQ2d 1525, 1528 (Fed. Cir. 1990) (emphasis in original)" and "[A] claim containing a 'recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus' if the prior art apparatus teaches all the structural limitations of the claim. *Exparte Masham*, 2 USPQ2d 1647 (Bd. Pat. App. & Inter. 1987). Since Stimpson as evidence by US Patent No. 4,877,745 teaches all structural limitations of claims 6 and 26 and applicant has no evidence to show that the apparatus taught by Stimpson as evidence by US Patent No. 4,877,745 cannot perform functions recited in claims 6 and 26, the examiner considers that Stimpson as evidence by US Patent No. 4,877,745 teaches all limitations recited in claims 6 and 26. Third, according to MPEP 2182, "[T]he 'means or step plus function' limitation should be interpreted in a manner consistent with the specification disclosure. If the specification defines what is meant by the limitation for the purposes of the claimed invention, the examiner should interpret the limitation as having that meaning. If no definition is provided, some judgment must be exercised in determining the scope of the limitation". Since the specification does not define "applicator means" and claim 26 only requires that a plurality of applicator means are arranged at predetermined interval in a first direction, Stimpson as evidence by US Patent No. 4,877,745 teaches a plurality of jetting heads in the reagent jet printing is arranged at predetermined or fixed interval in an anti-clockwise

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direction or a clockwise direction (see US Patent No. 4,877,745, Figure 1), the plurality of jetting heads in the reagent jet printing taught by Stimpson as evidence by US Patent No. 4,877,745 is a plurality of applicator means recited in claim 26. Since the specification does not define “conveying means” and claim 26 only requires that a conveyer means conveys the plurality of applicators or a sheet-like substrate, and Stimpson teaches that an automated device to apply the multitude of reagents to a 21.5 foot sheet is assembled from an X-Y-Z table (e.g. Asymtek) fitted with a reagent dispenser and a step motor controlled take up spool and an adjustable drag pay-out spool (see column 8, third paragraph and Figure 2C ), Stimpson discloses a conveyor mean which conveys the plurality of applicators (ie., the plurality of jetting heads in the reagent jet printing) or a sheet-like substrate as recited in claim 26. Since the specification does not define “cutting means” and claims 6 and 26 only require that a cutting means can cut a sheet-like substrate, and the razor blade taught by Stimpson (for example, see column 14, last paragraph) is a cutting means which can cut a sheet-like substrate as recited in claims 6 and 26.

8. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stimpson (July 16, 1997) as evidence by US Patent No. 4,877,745 in view of Shuminov (July 2, 1997) as applied to claims 6, 7, 21, 22-29, and 31-33 above, and further in view of Biedermann *et al.*, (US Patent No. 4,881,439, published on November 21, 1989).

The teachings of Stimpson and Shuminov have been summarized previously, *supra*.

Stimpson and Shuminov do not disclose a guide rail located on an upper body portion of said cutting means as recited in claim 30.

Biedermann *et al.*, teach a guide rail located on an upper body portion of a

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cutting means (ie., a cutter) (see Figure 4 and column 2, last paragraph).

Therefore, it would have been *prima facie* obvious to one having ordinary skill in the art at the time the invention was made to have added another guide rail into the apparatus recited in claim 6 wherein the another guide rail locates on an upper body portion of said cutting means as recited in claim 30 in view of the patents of Stimpson, Shuminov and Biedermann *et al.*. One having ordinary skill in the art would have been motivated to do so because addition of the another guide rail located on an upper body portion of said cutting means would provide a holder for said cutting means (see Biedermann *et al.*, column 1, lines 36-44). One having ordinary skill in the art at the time the invention was made would have been a reasonable expectation of success to add another guide rail into the apparatus recited in claim 6 in order to provide a support for attaching a cutting means (ie., a cutter).

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. No claim is allowed.

11. Papers related to this application may be submitted to Group 1600 by facsimile transmission. Papers should be faxed to Group 1600 via the PTO Fax Center. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28, 1993)(See 37 CAR § 1.6(d)). The CM Fax Center number is (571) 273-8300.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Lu, Ph.D., whose telephone number is 571-272-0746. The examiner can normally be reached on Monday-Friday from 9 A.M. to 5 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones, can be reached on (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Chemical Matrix receptionist whose telephone number is (703) 308-0196.



Frank Lu  
PSA  
July 22, 2005

**FRANK LU**  
**PATENT EXAMINER**